

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ESTATE OF ANTHONY BANTA, et al.,

No. C 13-342 CRB

Plaintiff,

**ORDER GRANTING IN PART AND
DENYING IN PART SUMMARY
JUDGMENT ON CLAIMS AGAINST
INDIVIDUAL OFFICERS**

v.

FOUR WALNUT CREEK POLICE OFFICERS,
et al.,

Defendant.

Plaintiffs filed this action alleging that four Walnut Creek police officers used excessive force and acted negligently when they fatally shot Anthony Banta. See Complaint (dkt. 1). Defendants have moved for summary judgment. See Motion (dkt. 64).

For the reasons stated at the hearing, the Court GRANTS summary judgment in favor of Officers Connors and Griffith. See Minute Entry (dkt. 76). The Court DENIES summary judgment to Officers Sugrue and Ezard given factual disputes regarding their actions and an insufficient factual basis to find that those two officers were entitled to qualified immunity.

IT IS SO ORDERED.

Dated: June 10, 2016



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE